

MEMO ENDORSEMENT

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WILLIAM J. DOBIE

March 25, 2022

BY ECF

Hon. Kenneth M. Karas
United States District Court
Southern District of New York
300 Quarropas Street
White Plains, New York 10601

Re: *United States v. Yoel Engel, et ano.*,
22-Cr-138 (KMK)

Dear Judge Karas:

This firm represents Joel Drezdner, one of the defendants in the above-referenced matter. I am writing to request that the Court modify Mr. Drezdner's conditions of release to permit him to travel to Belgium from April 5, 2022 to April 7, 2022 to participate in a *tefillin leigen* ceremony, i.e., the ceremony where a Jewish child who is becoming Bar Mitzvah dons his Tefillin for the first time. In Hassidic circles this is customarily done by the father's Rabbi. Mr. Drezdner's Rabbi is Grand Rabbi Leibish Pshervoskiy who resides in Antwerp, Belgium. The trip was planned by Mr. Drezdner before there was any inkling by him that he was under criminal investigation and his children are looking forward to the opportunity with great anticipation as this is a critical milestone in their lives. Given the age of the children and the importance of his role in this ceremony as their father, Mr. Drezdner is the one that would traditionally and should accompany the children.

I have communicated with both Mr. Drezdner's Pretrial Services Officer (Vincent B. Adams) as well as the government (AUSA Steven Kochevar). Mr. Adams has authorized me to represent to the Court that Pretrial takes no position with respect to this application. The government has informed me that they oppose the application, although, in my understanding more on office policy grounds rather than any specific concern with Mr. Drezdner. Indeed, the only circumstance articulated by the government specific to Mr. Drezdner is the fact that because Mr. Drezdner has made numerous trips in the past to Belgium (to me with his Rabbi), he can be said to have ties to that community as well.

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Mr. Drezdner has been indicted on a single count of conspiracy to commit wire fraud. The case is in the early stages, i.e., the government has indicated that it will be producing discovery within the next two weeks. Mr. Drezdner has been released on a \$100,000 personal recognizance bond cosigned by two cosignors, and he has surrendered his passport.

If the request is granted, Mr. Drezdner would travel to Antwerp, Belgium leaving on the evening of April 5, 2022 and returning back to New York on April 7, 2022. While in Antwerp, Mr. Drezdner will be staying at the Plaza Hotel, Charlottalei 49, 2018 Antwerpen, Belgium.

Courts in this and other districts have granted similar requests for international travel both for religious and other reasons. *See, e.g., United States v. Abraham*, 20 Cr. 411 (RA), Doc#44 (permitting travel to participate in the *yahrzeit* (i.e., the religious observance commemorating the date of death) of Rabbi Shayala Kerestirer buried in Kerestir, Hungary); *United States v. Kubitschuk*, 16-cr-711 (KBW), Doc#37 (permitting travel to Austria and Slovakia to participate in the *yahrzeit* of Rabbi Yehuda Assad); *United States v. Smilovitz*, 16-cr-818 (VB), Doc#144 (permitting travel to Uman, Ukraine to make the pilgrimage to the grave of Rabbi Nachman of Breslov for Rosh Hashana); *United States v. Galanis*, 16-cr-371 (RA), Doc#62 (S.D.N.Y.) (granting over government objection defendant Archer permission to travel to Latvia with his wife for business purposes); *United States v. Rimberg*, 15-cr- 835 (JGK), Doc#68 (S.D.N.Y.) (permitting defendant to travel after guilty plea along with his wife to Israel for business and to France for Passover). The same is true in other districts. *See, e.g., United States v. Mark Johnson*, 16-cr-457 (NGG), Doc#34 (E.D.N.Y.) (permitting defendant Cane to travel to Edinburgh, Scotland); *United States v. Poppi Metaxas*, 14-cr-190 (JFB) (E.D.N.Y.) (permitting defendant after receiving 18-month term of imprisonment to travel to Greece before surrender to visit the defendant's terminally ill brother).

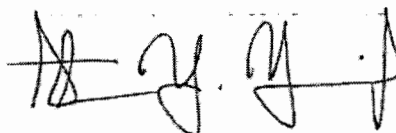
Mr. Drezdner poses no flight risk. His wife and two children, as well as his parents will be staying behind in the United States. While any felony indictment is serious, here the alleged loss amount according to the government, i.e., several hundred thousand dollars, is in counsel's experience on the relatively lower end of the spectrum of federal fraud prosecutions. There is simply no realistic danger that Mr. Drezdner would remain in Brussels along with his two young children, when his whole family life and business are in the United States. Mr. Drezdner fully intends to face the charges pending against him. Indeed, while we do not believe it necessary, Mr. Drezdner is willing to satisfy additional conditions to ensure his prompt return to the United States, including one or more of the following: Mr. Drezdner's father, already a surety on the bond, has offered to post for purposes of this trip, a commercial property he owns free and clear having a value of several million dollars to assure Mr. Drezdner's return. Similarly, Mrs. Drezdner, who will not be making the trip, is willing to surrender her passport until Mr. Drezdner returns, as a further assurance of her husband's return. Finally, Mr. Drezdner is willing sign a waiver of extradition. These additional conditions should be sufficient to satisfy any concern the government may have.

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Accordingly, we respectfully request that the Court modify Mr. Drezdner's conditions of release to permit him to travel to Belgium from April 5, 2022 through April 7, 2022, and authorize the temporary release of Mr. Drezdner's passport to him to be returned to Pre-Trial Services within 48 hours of his return back to New York. If the request is granted, we will provide Pre-Trial Services with a full travel itinerary, as well as abide by whatever additional measures are ordered by the Court.

Respectfully submitted,

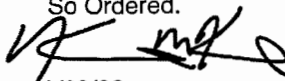


Steven Y. Yurowitz

cc: AUSA Steven Kochevar (by ECF)
PTS Vincent B. Adams (by email)

Application is denied. Mr. Drezdner has substantial ties to Belgium and flight from there would be far easier than flight from the United States. Moreover, the Government represents that Mr. Drezdner has access to financial accounts and the nature of the charges suggests that Mr. Drezdner is adept at engaging in fraudulent conduct. He also is facing substantial time in prison and is bringing some of his children with him, reducing his incentive to return. And, a preliminary evaluation suggests that Mr. Drezdner is facing a substantial sentence. Finally, while the Court is sympathetic to Mr. Drezdner's desire to make this trip, the risks of flight far outweigh his interest in doing so.

So Ordered.


3/29/22